

IN RE: PETITION FOR SPECIAL HEARING
SE/S Hamilton Place, 1490' NE
of centerline Carrington Avenue
11th Election District
5th Councilmanic District
(11733 Hamilton Place)

Sylvia & Arcangelo R. Piunti
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 99-458-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for special hearing filed by the legal owners of the subject property, Arcangelo & Sylvia Piunti. The Petitioners are requesting a special hearing for property located at 11733 Hamilton Place, located in the White Marsh area of Baltimore County. The special hearing request is to modify Restriction Nos. 3 and 4 of an Order that was issued in Case No. 94-26-A by this Deputy Zoning Commissioner.

Appearing at the hearing on behalf of the request were Arcangelo & Sylvia Piunti. There were no protestants present.

Testimony and evidence indicated that the property which is the subject of this special hearing request consists of 1.387 acres, more or less, zoned D.R.2. The subject property is improved with a single-family residential dwelling with an in-law apartment constructed on the side. The matter previously came before me in Case No. 94-16-A, wherein the in-law apartment was approved subject to certain conditions and restrictions. Restrictions 3 and 4 of my previous Order required that the Petitioners' daughter and granddaughter reside in the in-law apartment.

Testimony offered at the hearing before me indicated that the family situation has changed in that the daughter and granddaughter no longer reside in the in-law apartment. The current residents of the subject apartment are Sam Horowitz and Candy Rogers, and their daughter

ORDER RECEIVED FOR FILING
Date 7/13/99
By R. J. Gerson

Ashley. These individuals grew up in this neighborhood and rent the apartment from Mr. & Mrs. Piunti. Testimony revealed that Mr. Piunti's health is bad at this time, and he is in need of someone who can take care of the house and grounds at the subject property. Furthermore, again as a result of health reasons, Mr. & Mrs. Piunti travel to Florida in the wintertime and return to their home at this location in May. Therefore, during the winter months they are in need of a caretaker to oversee the house and property. Mr. Horowitz and Ms. Rogers have worked out very well for the Piuntis, in that they grew up in this neighborhood and know most of the neighbors. The Piuntis would like to continue with their current arrangement.

The matter was brought to the attention of Code Enforcement by way of an anonymous letter which was sent to the Zoning Office. The Piuntis believe that the anonymous letter was actually sent by their daughter with whom they no longer have a relationship. As to the immediate neighbors surrounding the property, the Piuntis indicated that those neighbors have no problems with the current residents of the in-law apartment.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare. After considering the testimony and evidence offered by the Piuntis, and the fact that they reside in Florida during the winter months, and Mr. Piunti has taken ill and is unable to care for the house and grounds, I find that the in-law apartment shall be permitted to be occupied by Sam Horowitz and Candy Rogers, and their daughter Ashley. Therefore, I shall

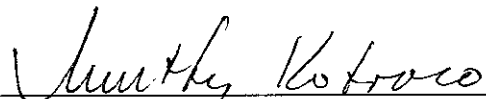
CASE FILED FOR FILING
DATE 2/13/99
BY [Signature]

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, the special hearing should be GRANTED.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 13th day of July, 1999, that Restriction Nos. 3 and 4 of prior Case No. 94-26-A, be and are hereby modified to read as follows:

3. The apartment located within the subject property shall be permitted to be occupied by Sam Horowitz and Candy Rogers, and their daughter Ashley. The in-law apartment shall not be occupied by any other individual, including other family members. In the event Mr. Horowitz and Ms. Rogers no longer reside in the subject apartment, then all kitchen facilities provided therein shall be removed from the premises and the dwelling shall be reconverted back to a single-family dwelling.
4. In the event that Mr. Horowitz or Ms. Rogers no longer reside in the second dwelling, and the property owners deem it necessary to replace them with other caretakers on the subject property, then they shall re-petition this Deputy Zoning Commissioner for a new hearing to determine the appropriateness of allowing others to reside within the subject apartment.

The Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
Date 7/13/99
By R. G. [signature]

TMK:raj



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 13, 1999

Mr. & Mrs. Arcangelo R. Piunti
11733 Hamilton Place
White Marsh, Maryland 21162

Re: Petition for Special Hearing
Case No. 99-458-SPH
Property: 11733 Hamilton Place

Dear Mr. & Mrs. Piunti:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11733 HAMILTON PLACE
which is presently zoned DR 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

REMOVAL OF RESTRICTIONS #3 AND #4
FOR CASE # 94-26-A

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

ARCANGELO ROSSARIO PIUNTI
Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 99-458-SP4

Reviewed By JE Date 5-17-99

ZONING DESCRIPTION FOR
11733 HAMILTON PLACE

BEGINNING AT THE POINT ON THE SE side
OF HAMILTON PLACE, 1490 FT⁺ NE OF CARRINGTON
AVE. BEING LOT # 9, BLOCK 0 IN THE
SUBDIVISION, DARRYL GARDENS, PLAT # 3, AS
RECORDED IN BALTIMORE COUNTY PLAT BOOK
NO 18 FOLIO 94 AND CONTAINING
1.387 ACRES \pm AND LOCATED IN THE
11th ELECTION DISTRICT, 5th COUNCILMANIC
DISTRICT.

458

99-458.SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 067394

DATE 5-17-99 ACCOUNT P-001-6150

AMOUNT \$ 50.00

RECEIVED FROM: PLUMIT
11733 Hemmilton place Item # 1158
FOR: 030 SPA Taken by: JRE

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

99-458-SP4

CASHIER'S VALIDATION

PAID RECEIPT

PROCESS	ACTUAL	TIME
4/17/1999	5/17/1999	11:40:32
MD 003	CASHIER PAGES PER DRAWER	
Dept 5	528 ZONING VERIFICATION	
Receipt #	005633	
CR NO.	067394	
Receipt Tot	50.00	
50.00 OK		
Baltimore County, Maryland		

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-458-SPH
11733 Hamilton Place
SE/S Hamilton Place,
1490' NE of centerline
Carrington Avenue
11th Election District
5th Councilmanic District
Legal Owner(s):

Sylvia & Arcangelo R. Pianti
Special Hearing: to approve
the removal of restrictions 3
and 4 for case number
94-26-A.

Hearing: Monday, July 12,
1999 at 9:00 a.m. in Room
407, County Courts Bldg.,
401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Contact the Zoning
Commissioner's Office at
(410) 887-4386.

(2) For information concern-
ing the File and/or Hearing,
Contact the Zoning Review Of-
fice at (410) 887-3391.
6/340 June 24 C321019

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/24/ 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/24/ 1999.

THE JEFFERSONIAN,

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 99-458-SPH
PETITIONER/DEVELOPER:
(Arcangelo Piunti)
DATE OF Hearing
(July 12, 1999)

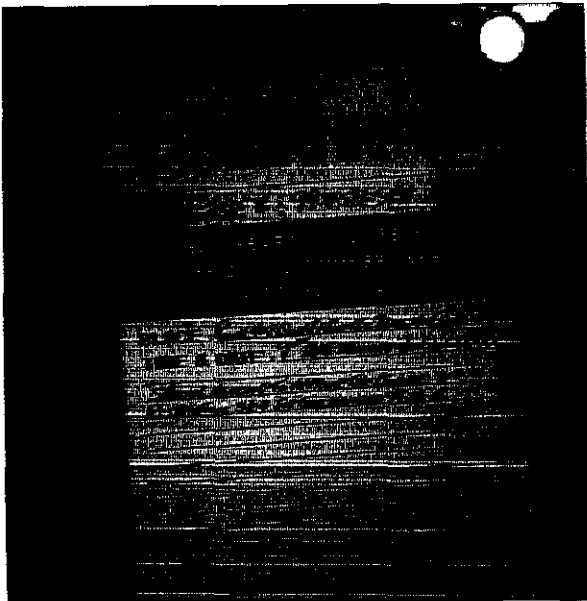
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
11733 Hamilton Place Baltimore , Maryland 21162_____

The sign(s) were posted on _____ 6-25-99 _____
[Month, Day, Year]



Sincerely,

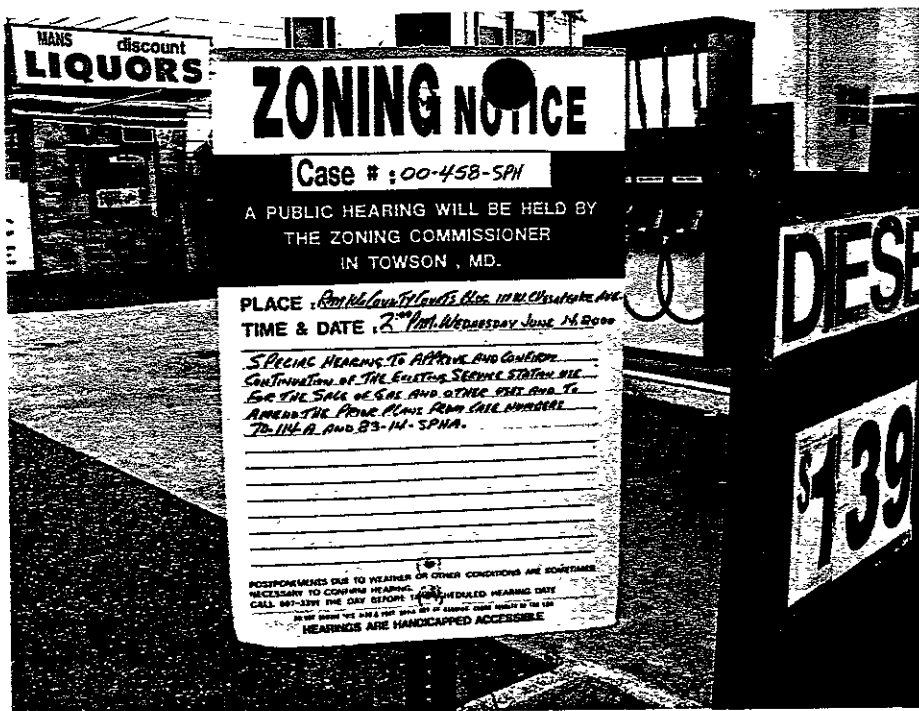

[Signature of Sign Poster & Date]

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
[Telephone Number]



RE: CASE #00-458-SPH
PETITIONER/DEVELOPER
(Wheelless Enterprises, Inc.)
DATE OF Hearing
(6-14-00)

Posted at 6902 Holabird Ave.

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

6902 Holabird Ave. Baltimore, Maryland 21222____

THE SIGN(S) WERE POSTED ON _____ 5-30-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

THOMAS P. OGLE SR.

325 NICHOLSON ROAD

BALTIMORE, MARYLAND 21221

410-687-8405
(TELEPHONE NUMBER)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 458
Petitioner: ARCANGELO & SYLVIA PIUNTI
Address or Location: 11733 HAMILTON PLACE WHITE MARSH, MD
21162

PLEASE FORWARD ADVERTISING BILL TO:

Name: SYLVIA PIUNTI
Address: 11733 HAMILTON PLACE
WHITE MARSH, MARYLAND
21162
Telephone Number: 410 256 2586

Revised 2/20/98 - SCJ

99-458-SPH



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 10, 1999

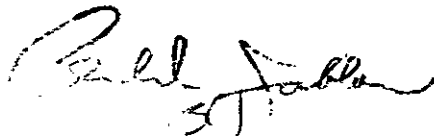
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CASE NUMBER: 99-458-SPH
11733 Hamilton Place
SE/S Hamilton Place, 1490' NE of centerline Carrington Avenue
11th Election District – 5th Councilmanic District
Legal Owner: Sylvia & Arcangelo R. Piunti

Special Hearing to approve the removal of restrictions 3 and 4 for case number 94-26-A.

HEARING: Monday, July 12, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Arnold Jablon
Director

c: Sylvia & Arcangelo Piunti

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 27, 1999.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
June 24, 1999 Issue – Jeffersonian

Please forward billing to:

Sylvia Piunti 410-256-2586
11733 Hamilton Place
White Marsh, MD 21162

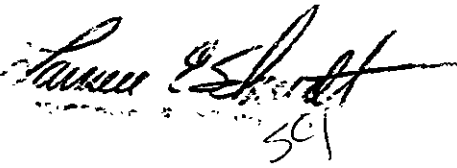
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LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 2, 1999

Mr. & Mrs. Arcangelo Piunti
11733 Hamilton Place
White Marsh, MD 21161

Dear Mr. & Mrs. Piunti:

RE: Case No.: 99-458-SPH, Petitioner: Mr. & Mrs. Piunti,
Location: 11733 Hamilton Place

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 17, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

June 16, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 7, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

456, 457, 458, 459, 460, 461, 462, 464, 465, 466, 467,
468, 469, 470, 471, 472, 474, 475, 476, 477, 478, 479,
480, 483, 484, AND 485

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us

RECEIVED JUN 21 1999



INTEROFFICE CORRESPONDENCE

ZAC06149.458

Jim
7/12

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: June 7, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 457, 458, ~~464~~, and 467

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

Jeffrey W Long

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: June 10, 1999

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - JT
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 458
PETITIONER: Sylvia R. Piunti and Arcangel Rossanio Piunti

VIOLATION CASE NO.: 99-0847

LOCATION OF VIOLATION: SE/S Hamilton Place, 1490' NE of centerline
Carrington Avenue (11733 Hamilton Place)
11th Election District

DEFENDANT(S): Sylvia R. Piunti and Arcangel Rossanio Piunti

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/jt/lmh

99-458-SPH



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 6.4.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204


RE: Baltimore County
Item No. 458 JRF

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for Michael M. Lenhart, Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
11733 Hamilton Place, SE/S Hamilton Place,
1490' NE of c/I Carrington Ave
11th Election District, 5th Councilmanic


Legal Owner: Arcangelo R. and Sylvia Pianti
Petitioner(s)


* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 99-458-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

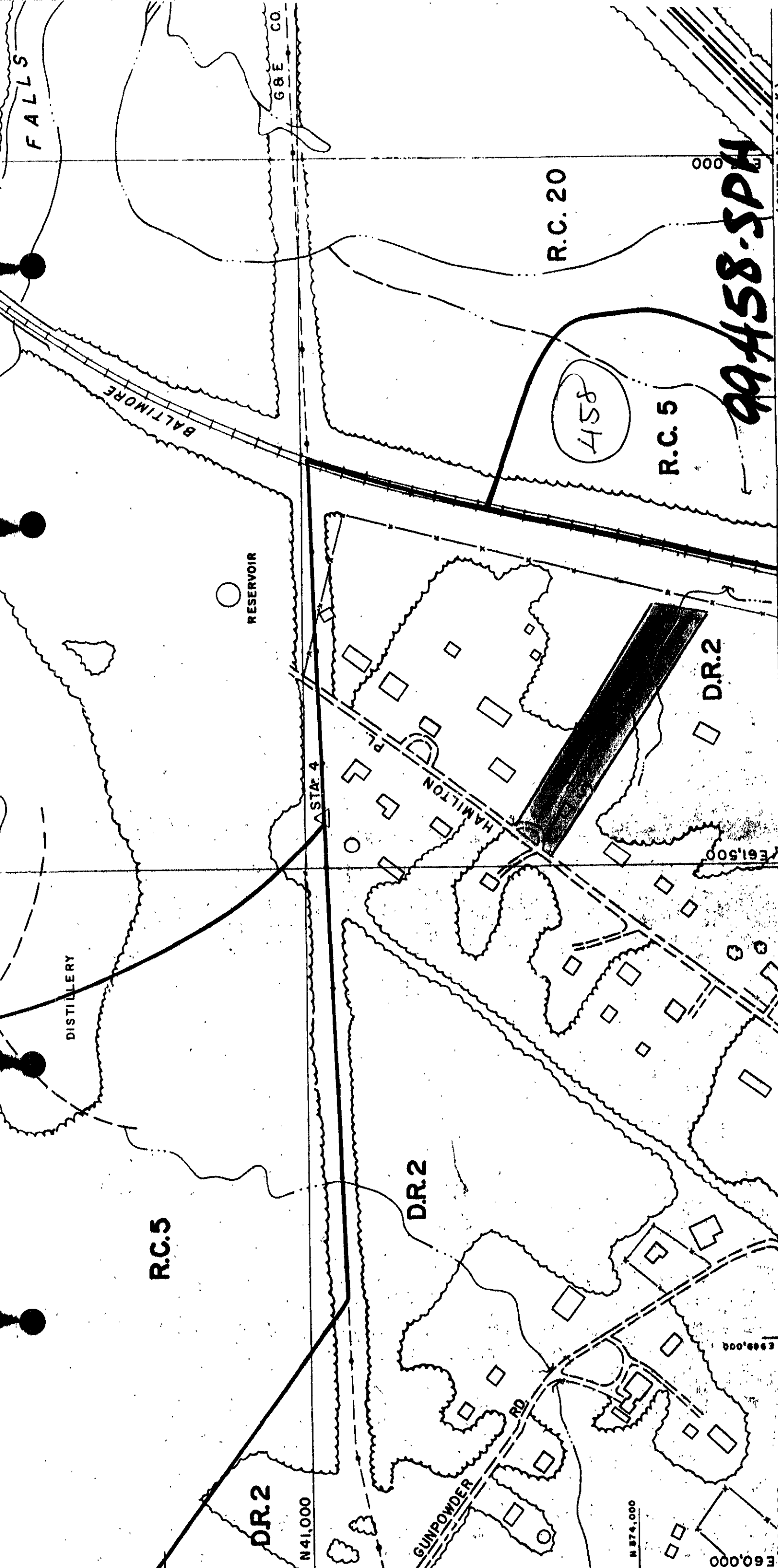

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 1999 a copy of the foregoing Entry of Appearance was mailed to Arcangelo R. and Sylvia Pianti, 11733 Hamilton Place, White Marsh, MD 21162, Petitioners.


PETER MAX ZIMMERMAN



(SHEET N.E. 10-K)

99-458-SPH

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council

Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
Oct. 13, 1988

Dale J. Voss
Chairman, County Council

Q - SE QQ - SW
M - NE MM - NW

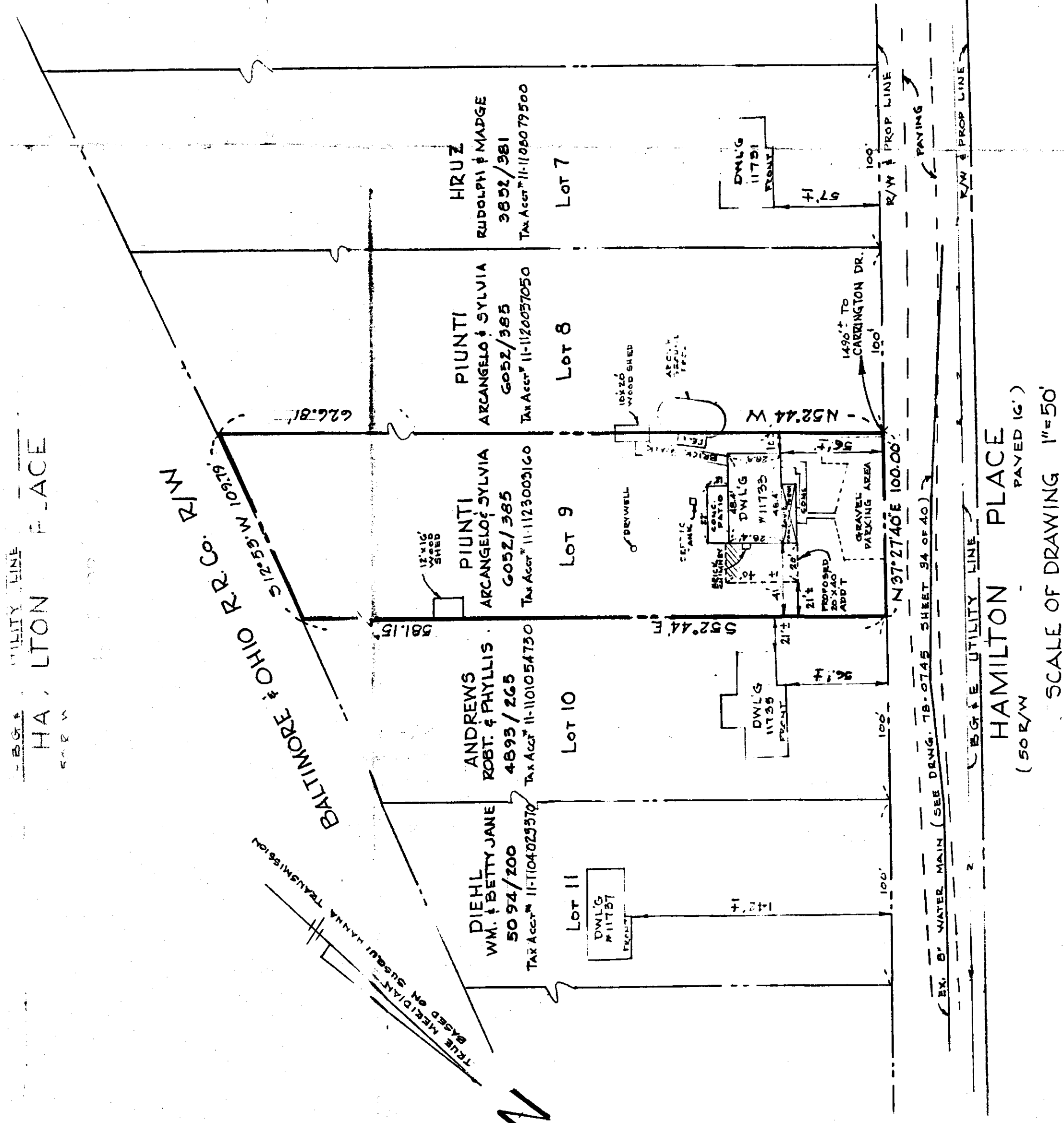
THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND OFFICIAL ZONING

PIUNTI
11733 HAMILTON PL- N.E. 11-K
WHITE MARSH, MD 21165
410-256-2586

PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS: 11733 HAMILTON PLACE
SUBDIVISION NAME : DARRYL GARDENS
PLAT BOOK 18 FOLIO 94 LOT 9 BLOCK O
OWNER: ARCANGELO & SYLVIA PIUNTI



VICINITY MAP 1" = 2000'	
LOCATION INFORMATION	
COUNCILMANIC DISTRICT	5 TH
ELECTION DISTRICT	11 TH
1" = 200' SCALE MAP(ABC ATAS)	PAGE 30 D 5
ZONING :	DR2
Lot SIZE :	13871 ACRES 60.36 ACRES PUBLIC PRIVATE
SEWER:	<input type="checkbox"/> <input checked="" type="checkbox"/>
WATER:	<input type="checkbox"/> <input checked="" type="checkbox"/>
CHESAPEAKE BAY CRITICAL AREA	<input type="checkbox"/> <input checked="" type="checkbox"/>
PRIOR ZONING HEARINGS	94-20-A
ZONING OFFICE USE ONLY	
REVIEWED BY:	ITEM# : 458
JF	CASE# :

Pet Ex #1

99-458-SPA